02 FC:1251

02/02/2005 MAHMED1 00000046 193935

120.00 DA

09752467

S&H Form: PTO/SB/30 (12/04)

EST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

(INCLUDING FILING FEE AND/OR PETITION FOR **EXTENSION OF TIME FEE)**

Subsection (b) of 35 U.S.C. §132, effective May 29, 2000 provides for continued examination of a utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA)

Box RCE PO Box 145	ner for Patents 0 VA 22313-1450	Attorney Docket	No.:826.1661
First Named Inventor	Yoshihiro TSUCHIYA,	et al.	
Application No.	09/752,467	Group Art Unit	2133
Filing Date	January 3, 2001	Examiner	Saumil R. Shah
CPA Filing Date		Confirmation No	1571
Title of Invention	BACKUP SYSTEM AND METHOD THEREOF IN DISK SHARED FILE SYSTEM		
1.	J.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	(Daniel 1 1 1 1 1 1 1 1 1 1	
	d under 37 C.F.R. §1.114	(box a or b must be comp	letea)
a. ⊠ Previously sul i. ⊠ Consider the	ne amendment(s)/reply under 37	C.F.R. § 1.116 previously filed	on <u>January 6, 2005</u>
i. ☒ Consider th (Any unente ii. ☐ Consider th iii. ☐ Other b. ☐ Enclosed	ne amendment(s)/reply under 37 red amendment(s) referred to al e arguments in the Appeal Brief	bove will be entered).	
i. \textbf{X} Consider the consideration of the consideratio	ne amendment(s)/reply under 37 red amendment(s) referred to all e arguments in the Appeal Brief	bove will be entered).	
i. X Consider th (Any unente ii. Consider th iii. Chter b. Enclosed ii. Amendme iii. Affidavit(s	ne amendment(s)/reply under 37 red amendment(s) referred to al e arguments in the Appeal Brief ent/Reply)/Declaration(s)	bove will be entered).	
i. Consider the (Any unenter ii. Consider the iii. Consider the iii. Consider the iii. Cother b. Enclosed i. Amendme iii. Affidavit(s iii. Information iv. Other 2. Miscellaneous a. Suspension of a consider the iii. Consider the iii. Cother iii.	ne amendment(s)/reply under 37 red amendment(s) referred to al e arguments in the Appeal Brief ent/Reply)/Declaration(s)	pove will be entered). or Reply Brief previously filed o	C.F.R. §103(c) for a period
i. Consider the (Any unenter ii. Consider the iii. Consider the iii. Consider the iii. Cother b. Enclosed i. Amendme iii. Affidavit(s iii. Information iv. Other 2. Miscellaneous a. Suspension of amonter iii. Suspension of amonter iii. Information iiii. Cother iiii. Cother iiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiii	ne amendment(s)/reply under 37 red amendment(s) referred to all e arguments in the Appeal Brief ent/Reply)/Declaration(s) n Disclosure Statement (IDS) action on the above-identified aphs. (Period of suspension shall not design a suppension shall not design and suppension shall not design.	pove will be entered). or Reply Brief previously filed o	C.F.R. §103(c) for a period

Since an Official Action set an original due date of January 6, 2005, petition is hereby made for an extension of time to cover the date this RCE is filed, for which the requisite fee is enclosed (1 month (\$120)); (2 months (\$450)); (3 months (\$1,020)); (4 months (\$1,590)); (5 months (\$450)); (3 months (\$1,020)); (4 months (\$1,590)); (5 months (\$2,160): Suspension Fee (\$130.00) Total of above Calculations = \$910.00 Reduction by 50% for filing by small entity (Note 37 C.F.R. 1.9, 1.27, 1.28). TOTAL FEES DUE = \$910.00 4. Small entity status: a. Verified Statement Claiming Small Entity Status was previously filed and such status is still proper and desired. c. is no longer claimed. 5. Other: 6. METHOD OF PAYMENT A check in the amount of \$\$910.00 is enclosed. Charge "TOTAL FEES DUE" to Deposit Account No. 19-3935. (A duplicate copy of this form is enclosed.) 7. GENERAL AUTHORIZATION The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filing fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to: Deposit Account No. 19-3935. S. CORRESPONDENCE ADDRESS STAAS & HALSEY LLP	BASIC FEE	\$ 790.00				
RCE is filed, for which the requisite fee is enclosed (1 month (\$120)); (2 months (\$450)); (3 months (\$1,020)); (4 months (\$1,590)); (5 months 120.00 (\$2,160): Suspension Fee (\$130.00) Total of above Calculations = \$ 910.00 Reduction by 50% for filing by small entity (Note 37 C.F.R. 1.9, 1.27, 1.28). TOTAL FEES DUE = \$ 910.00 4. Small entity status: a. Verified Statement Claiming Small Entity Status b. A Verified Statement Claiming Small Entity Status was previously filed and such status is still proper and desired. c. is no longer claimed. Other: 6. METHOD OF PAYMENT A check in the amount of \$ \$910.00 is enclosed. Charge "TOTAL FEES DUE" to Deposit Account No. 19-3935. (A duplicate copy of this form is enclosed.) 7. GENERAL AUTHORIZATION The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filing fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. \$120 to maintain pendency hereof and of any such related application to: Deposit Account No. 19-3935. 8. CORRESPONDENCE ADDRESS STAAS & HALSEY LLP 21171						
months (\$450)); (3 months (\$1,020)); (4 months (\$1,590)); (5 months (\$2,160): Suspension Fee (\$130.00) Total of above Calculations = \$910.00 Reduction by 50% for filing by small entity (Note 37 C.F.R. 1.9, 1.27, 1.28). TOTAL FEES DUE = \$910.00 4. Small entity status: a. Verified Statement Claiming Small Entity Status. b. A Verified Statement Claiming Small Entity Status was previously filed and such status is still proper and desired. c. is no longer claimed. 5. Other: A check in the amount of \$\$910.00 is enclosed. Charge "TOTAL FEES DUE" to Deposit Account No. 19-3935. (A duplicate copy of this form is enclosed.) 7. GENERAL AUTHORIZATION The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filing fees) origin fees of pursuant to 35 U.S.C. \$120 to maintain pendency hereof and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. \$120 to maintain pendency hereof and of any such related application to: Deposit Account No. 19-3935. STAAS & HALSEY LLP \$21171	petition is hereby made for an extension of time to cover the date this					
(\$2,160): Suspension Fee (\$130.00) Total of above Calculations = \$910.00 Reduction by 50% for filing by small entity (Note 37 C.F.R. 1.9, 1.27, 1.28). TOTAL FEES DUE = \$910.00 4. Small entity status: a. Verified Statement Claiming Small Entity Status. b. A Verified Statement Claiming Small Entity Status was previously filed and such status is still proper and desired. c. is no longer claimed. 5. Other: A check in the amount of \$\$910.00 is enclosed. Charge "TOTAL FEES DUE" to Deposit Account No. 19-3935. (A duplicate copy of this form is enclosed.) 7. GENERAL AUTHORIZATION The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filing fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to: Deposit Account No. 19-3935. STAAS & HALSEY LLP ***TABLE OF THE COMMISSION CONTROL OF THE COMMISSION CONTR						
Suspension Fee (\$130.00) Total of above Calculations = \$ 910.00 Reduction by 50% for filing by small entity (Note 37 C.F.R. 1.9, 1.27, 1.28). TOTAL FEES DUE = \$ 910.00 4. Small entity status: a. Verified Statement Claiming Small Entity Status. b. A Verified Statement Claiming Small Entity Status was previously filed and such status is still proper and desired. c. is no longer claimed. 5. Other: 6. METHOD OF PAYMENT A check in the amount of \$\$910.00 is enclosed. Charge "TOTAL FEES DUE" to Deposit Account No. 19-3935. (A duplicate copy of this form is enclosed.) 7. GENERAL AUTHORIZATION The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filing fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to: Deposit Account No. 19-3935. 8. CORRESPONDENCE ADDRESS STAAS & HALSEY LLP 21171		120.00				
Total of above Calculations = \$ 910.00 Reduction by 50% for filing by small entity (Note 37 C.F.R. 1.9, 1.27, 1.28). TOTAL FEES DUE = \$ 910.00 4. Small entity status: a. Verified Statement Claiming Small Entity Status. b. A Verified Statement Claiming Small Entity Status was previously filed and such status is still proper and desired. c. is no longer claimed. 5. Other: 6. METHOD OF PAYMENT A check in the amount of \$ \$910.00 is enclosed. Charge "TOTAL FEES DUE" to Deposit Account No. 19-3935. (A duplicate copy of this form is enclosed.) 7. GENERAL AUTHORIZATION The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filing fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to: Deposit Account No. 19-3935. 8. CORRESPONDENCE ADDRESS STAAS & HALSEY LLP						
Reduction by 50% for filling by small entity (Note 37 C.F.R. 1.9, 1.27, 1.28). TOTAL FEES DUE = \$ 910.00 4. Small entity status: a. Verified Statement Claiming Small Entity Status. b. A Verified Statement Claiming Small Entity Status was previously filed and such status is still proper and desired. c. is no longer claimed. Other: 6. METHOD OF PAYMENT A check in the amount of \$ \$910.00 is enclosed. Charge "TOTAL FEES DUE" to Deposit Account No. 19-3935. (A duplicate copy of this form is enclosed.) 7. GENERAL AUTHORIZATION The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filling fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to: Deposit Account No. 19-3935. 8. CORRESPONDENCE ADDRESS STAAS & HALSEY LLP		6 040.00				
TOTAL FEES DUE = \$ 910.00 4. Small entity status: a. Verified Statement Claiming Small Entity Status. b. A Verified Statement Claiming Small Entity Status was previously filed and such status is still proper and desired. c. is no longer claimed. Other: 6. METHOD OF PAYMENT A check in the amount of \$ \$910.00 is enclosed. Charge "TOTAL FEES DUE" to Deposit Account No. 19-3935. (A duplicate copy of this form is enclosed.) 7. GENERAL AUTHORIZATION The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filling fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to: Deposit Account No. 19-3935. STAAS & HALSEY LLP 21171		\$ 910.00				
4. □ Small entity status: a. □ Verified Statement Claiming Small Entity Status. b. □ A Verified Statement Claiming Small Entity Status was previously filed and such status is still proper and desired. c. □ is no longer claimed. Other: 6. METHOD OF PAYMENT □ A check in the amount of \$\$910.00 is enclosed. Charge "TOTAL FEES DUE" to Deposit Account No. 19-3935. (A duplicate copy of this form is enclosed.) 7. GENERAL AUTHORIZATION □ The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filing fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to: Deposit Account No. 19-3935. STAAS & HALSEY LLP □ STAAS & HALSEY LLP		\$ 910.00				
a.		910.00				
b. A Verified Statement Claiming Small Entity Status was previously filed and such status is still proper and desired. c. is no longer claimed. Other: 6. METHOD OF PAYMENT A check in the amount of \$\$910.00 is enclosed. Charge "TOTAL FEES DUE" to Deposit Account No. 19-3935. (A duplicate copy of this form is enclosed.) 7. GENERAL AUTHORIZATION The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filing fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to: Deposit Account No. 19-3935. 8. CORRESPONDENCE ADDRESS STAAS & HALSEY LLP						
status is still proper and desired. c. is no longer claimed. 5. Other: 6. METHOD OF PAYMENT A check in the amount of \$\$910.00 is enclosed. Charge "TOTAL FEES DUE" to Deposit Account No. 19-3935. (A duplicate copy of this form is enclosed.) 7. GENERAL AUTHORIZATION The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filing fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to: Deposit Account No. 19-3935. 8. CORRESPONDENCE ADDRESS STAAS & HALSEY LLP		iously filed and such				
c. is no longer claimed. 6. METHOD OF PAYMENT A check in the amount of \$ \$910.00 is enclosed. Charge "TOTAL FEES DUE" to Deposit Account No. 19-3935. (A duplicate copy of this form is enclosed.) 7. GENERAL AUTHORIZATION The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filing fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to: Deposit Account No. 19-3935. 8. CORRESPONDENCE ADDRESS STAAS & HALSEY LLP						
6. METHOD OF PAYMENT A check in the amount of \$ \$910.00 is enclosed. Charge "TOTAL FEES DUE" to Deposit Account No. 19-3935. (A duplicate copy of this form is enclosed.) 7. GENERAL AUTHORIZATION The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filing fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to: Deposit Account No. 19-3935. 8. CORRESPONDENCE ADDRESS STAAS & HALSEY LLP						
A check in the amount of \$\\$910.00 is enclosed. Charge "TOTAL FEES DUE" to Deposit Account No. 19-3935. (A duplicate copy of this form is enclosed.) 7. GENERAL AUTHORIZATION The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filing fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to: Deposit Account No. 19-3935. 8. CORRESPONDENCE ADDRESS STAAS & HALSEY LLP						
A check in the amount of \$\\$910.00 is enclosed. Charge "TOTAL FEES DUE" to Deposit Account No. 19-3935. (A duplicate copy of this form is enclosed.) 7. GENERAL AUTHORIZATION The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filing fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to: Deposit Account No. 19-3935. 8. CORRESPONDENCE ADDRESS STAAS & HALSEY LLP						
Charge "TOTAL FEES DUE" to Deposit Account No. 19-3935. (A duplicate copy of this form is enclosed.) 7. GENERAL AUTHORIZATION The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filing fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to: Deposit Account No. 19-3935. 8. CORRESPONDENCE ADDRESS STAAS & HALSEY LLP	6. METHOD OF PAYMENT					
enclosed.) 7. GENERAL AUTHORIZATION The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filling fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to: Deposit Account No. 19-3935. 8. CORRESPONDENCE ADDRESS STAAS & HALSEY LLP	A check in the amount of \$\\$910.00 is enclosed.					
7. GENERAL AUTHORIZATION The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filing fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to: Deposit Account No. 19-3935. 8. CORRESPONDENCE ADDRESS STAAS & HALSEY LLP		olicate copy of this form is				
The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filing fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to: Deposit Account No. 19-3935. 8. CORRESPONDENCE ADDRESS STAAS & HALSEY LLP 21171	\ \tag{\tag{\tag{\tag{\tag{\tag{\tag{					
or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to: Deposit Account No. 19-3935. 8. CORRESPONDENCE ADDRESS STAAS & HALSEY LLP 21171		s under 37 C.F.R. 1.16 (filing fees)				
Deposit Account No. 19-3935. 8. CORRESPONDENCE ADDRESS STAAS & HALSEY LLP 21171	or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit					
8. CORRESPONDENCE ADDRESS STAAS & HALSEY LLP 21171						
STAAS & HALSEY LLP 21171	<u> </u>					
21171						
21171 PATENT TRADEMARK OFFICE						
21171 PATENT TRADEMARK OFFICE						
PATENT TRADEMARK OFFICE	21171					
'	PATENT TRADEMARK OFFICE					
9. SIGNATURE OF ATTORNEY OR AGENT REQUIRED						
NAME J. Randall Beckers REGISTRATION NO. 30,358	NAME J. Randall Beckers REGISTRATION	NO. 30,358				
SIGNATURE STANDON ASC DATE 1/81/6	SIGNATURE MALE 1/A	all				
© 2004 Staas & Halsey LLF [Page 2 of 2]						

The PTO did not receive the following listed item(s) chife # 910,000 But chief # 120,000